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Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

NORTHWEST ENVIRONMENTAL
DEFENSE CENTER, et al.,

Plaintiffs,

Case No.: 3:18-cv-00437-HZ

FEDERAL DEFENDANTS' NOTICE
OF APPEAL

v.

U.S. ARMY CORPS OF ENGINEERS, et al.,

Defendants,

and

CITY OF SALEM and MARION COUNTY,

Defendant-Intervenors.

Notice is hereby given that Federal Defendants, the U.S. Army Corps of Engineers and the National Marine Fisheries Service, appeal to the United States Court of Appeals for the Ninth Circuit. Federal Defendants appeal the United States District Court for the District of Oregon's: (1) Opinion

and Order Granting Plaintiffs' Motion for Summary Judgment and Denying Federal Defendants' Motion for Summary Judgment (ECF 112); (2) Draft Order (ECF 194); (3) Minute Order Regarding Expert Panel (ECF 196); (4) Opinion and Order (ECF 212); (5) Interim Injunction (ECF 212); and (6) all subsequent Orders (ECF 220, etc.).

As the government, Federal Defendants are exempt from paying a docket fee. Circuit Rule 3-1. Pursuant to Federal Rule of Appellate Procedure 12(b) and Circuit Rule 3-2, a representation statement is attached.

Dated: October 29, 2021

Respectfully submitted,

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/s/ Kaitlyn Poirier

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CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2021, a true and correct copy of the above document was electronically filed with the Clerk of Court using CM/ECF. Copies of the document will be served upon interested counsel via the Notices of Electronic Filing that are generated by CM/ECF.

/s/ Kaitlyn Poirier
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